

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Gerald (Jerry) Bennett, on February 3, 2015 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Stephanie Hess (R)
Rep. Ellie Boldman Hill (D)
Rep. Kathy Kelker (D)
Rep. Sarah Laszloffy (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. G. Bruce Meyers (R)
Rep. Matthew Monforton (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Zac Perry (D)
Rep. Andrew Person (D)
Rep. Randall Pinocci (R)
Rep. Kirk Wagoner (R)

Members Excused: Rep. Keith Regier (R)

Members Absent: None

Staff Present: McKenzie Chambers, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 214, 1/28/2015; HJ 4, 1/28/2015; SB 26, 1/28/2015

00:00:57 Chair J. Bennett

HEARING ON HJ 4

Opening Statement by Sponsor:

00:02:30 Rep. Matthew Monforton (R), HD 69, opened the hearing on HJ 4, Joint resolution for balanced budget amendment.

Proponents' Testimony:

00:05:49 Bill Fruth, Balanced Budget Amendment Task Force (BBATF)
00:19:39 Riley Johnson, National Federation of Independent Business (NFIB)
00:20:27 Brent Mead, Montana Policy Institute (MPI)
00:23:16 Fritz Pettyjohn, Balanced Budget Amendment Task Force (BBATF)
00:26:15 Rep. Regier joined the meeting.
00:28:35 Becky Stockton, Self
00:29:19 Robert Kolar, Self

[EXHIBIT\(juh24a01\)](#)

Opponents' Testimony:

00:31:01 Robert Brown, Self
[EXHIBIT\(juh24a02\)](#)
[EXHIBIT\(juh24a03\)](#)
[EXHIBIT\(juh24a04\)](#)
[EXHIBIT\(juh24a05\)](#)
[EXHIBIT\(juh24a06\)](#)
[EXHIBIT\(juh24a07\)](#)
[EXHIBIT\(juh24a08\)](#)
[EXHIBIT\(juh24a09\)](#)
00:41:26 Ed Regan, Self
[EXHIBIT\(juh24a10\)](#)
00:46:53 Roger Nummendor, Self
[EXHIBIT\(juh24a11\)](#)
00:49:56 Jim Anderson, Self
00:51:37 Daniel Keder, Self
[EXHIBIT\(juh24a12\)](#)
[EXHIBIT\(juh24a13\)](#)
00:55:20 Derrell Poole, Self
00:58:22 Dan Happel, Self
00:59:37 Lola Galoway, Self
01:00:24 Chris Stevens, Self
01:00:40 Jill Guthrie, Self
01:01:08 Myrna Summers, Self
01:01:20 John Hahn, Self
01:01:33 Jim Reinschmidt, Self
01:01:58 Paul Landsgaard, Self
01:02:16 Dean Powers, Self
01:02:36 Janet Cunningham, Self
01:02:48 Kathleen Androlewicz, Self
01:03:13 Ruth Costea, Self

01:03:30 Mirelle Stevens, Self
01:03:43 Susan Getz, Self
01:03:54 Robert Smovs, Self

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:26 Rep. Hill
01:06:01 Rep. Monforton
01:10:31 Rep. Eck
01:10:55 Robert Brown, Self
01:12:31 Rep. Laszloffy
01:12:44 Rep. Monforton
01:13:34 Rep. Laszloffy
01:13:48 Rep. Monforton
01:14:45 Rep. Fiscus
01:15:32 Bill Fruth, BBATF
01:20:01 Rep. Meyers
01:20:37 Chair J. Bennett
01:20:41 Rep. Meyers
01:21:01 Brent Mead, MPI
01:22:42 Rep. Meyers
01:22:51 Brent Mead, MPI
01:23:26 Rep. Manzella
01:24:05 Bill Fruth, BBATF
01:24:13 Rep. Manzella
01:24:45 Bill Fruth, BBATF
01:26:29 Rep. Manzella
01:26:40 Robert Brown, Self

Closing by Sponsor:

01:28:41 Rep. Monforton

01:41:13 Chair J. Bennett

01:41:38 Recessed.
01:58:42 Reconvened

HEARING ON HB 214

Opening Statement by Sponsor:

01:58:51 Rep. David (Doc) Moore (R), HD 92, opened the hearing on HB 214, Generally revise boating laws related to DUI offenses.

[**EXHIBIT\(juh24a14\)**](#)

Proponents' Testimony:

02:03:37 Mark Murphy, Montana County Attorneys Association (MCAA)
02:07:24 Jim Kropp, Chief of Law Enforcement, Fish, Wildlife & Parks (FWP)

[**EXHIBIT\(juh24a15\)**](#)

02:09:57 Bob Gilbert, Walleyes Unlimited of Montana (WU)
02:12:26 Larry Epstein, Montana County Attorneys Association (MCAA)
02:14:37 George Golie, Montana Game Wardens Association (MGWA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:16:38 Rep. Regier
02:16:56 Rep. Moore
02:17:10 Ron Jendro, Recreation Program Manager, Fish, Wildlife & Parks (FWP)
02:17:22 Rep. Regier
02:17:30 Ron Jendro, FWP
02:17:31 Rep. Regier
02:17:35 Ron Jendro, FWP
02:17:45 Rep. Regier
02:17:54 Ron Jendro, FWP
02:18:12 Rep. Regier
02:18:46 Ron Jendro, FWP
02:18:54 Rep. Moore
02:19:17 Rep. Regier
02:19:25 Rep. Moore
02:19:32 Rep. Regier
02:19:37 Rep. Moore
02:19:49 Rep. Hill
02:20:18 Larry Epstein, MCAA
02:20:27 Rep. Hill
02:20:41 Larry Epstein, MCAA
02:20:55 Rep. Hill
02:21:00 Ron Jendro, FWP
02:21:40 Rep. Hill
02:23:01 Larry Epstein, MCAA
02:23:59 Rep. McConnell
02:25:13 Rep. Moore
02:26:24 Rep. McConnell
02:26:39 Rep. Moore
02:26:49 Chair J. Bennett
02:26:52 Helen Thigpen, Legislative Services Division (LSD)
02:27:30 Rep. McConnell
02:27:37 Rep. Moore
02:28:03 Rep. McConnell
02:28:39 Rep. Moore
02:29:23 Rep. Court
02:29:57 Jim Kropp, FWP
02:30:14 Rep. Eck
02:31:38 Mark Murphy, MCAA
02:33:34 Rep. Doane
02:34:05 Mark Murphy, MCAA
02:35:08 Rep. Pinocci

02:35:25 Rep. Moore
 02:35:32 Rep. Pinocci
 02:36:10 Rep. Moore
 02:37:05 Rep. Kelker
 02:37:55 Ron Jendro, FWP
 02:39:06 Rep. Kelker
 02:39:15 Ron Jendro, FWP
 02:40:06 Rep. Regier
 02:40:31 Mark Murphy, MCAA
 02:40:55 Rep. Regier
 02:41:08 Mark Murphy, MCAA
 02:43:38 Rep. Wagoner
 02:43:46 Mark Murphy, MCAA
 02:43:53 Rep. Wagoner
 02:44:37 Mark Murphy, MCAA
 02:46:33 Rep. Hill
 02:47:58 Mark Murphy, MCAA

Closing by Sponsor:

02:50:41 Rep. Moore

HEARING ON SB 26

Opening Statement by Sponsor:

02:52:25 Sen. Nels Swandal (R), SD 30, opened the hearing on SB 26, Clarifying laws regarding electronic submitting of search warrants.

Proponents' Testimony:

02:55:10 Jon Bennion, Deputy Attorney General/Legislative Liaison, Office of the Attorney General (AG), Department of Justice (DOJ)
 02:56:33 Mark Long, Bureau Chief, Narcotics Bureau, Division of Criminal Investigation, Office of the Attorney General (AG), Department of Justice (DOJ)

EXHIBIT(juh24a16)

02:59:19 Larry Epstein, Montana County Attorneys Association (MCAA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:00:25 Rep. Doane
 03:00:44 Jon Bennion, AG
 03:01:08 Sen. Swandal

Closing by Sponsor:

03:01:34 Sen. Swandal

03:01:38	Chair J. Bennett
03:01:56	Sen. Swandal
03:02:03	Chair J. Bennett
03:03:20	Rep. Kelker
03:03:38	Chair J. Bennett

ADJOURNMENT

Adjournment: 03:04:20

McKenzie Chambers, Secretary

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Additional Documents:

EXHIBIT([juh24aad.pdf](#))